IN THE HIGH COURT OF JUDICATURE, ANDHRA PRADESH
AT HYDERABAD

(Special Original Jurisdiction)

TUESDAY, THE FIRST DAY OF FEBRUARY
TWO THOUSAND AND FIVE

PRESENT

THE HON'BLE SRI JUSTICE L.NARASIMHA REDDY

WRIT PETITION NO : 1285 of 2005

Between:

1 Madireddy Naga Prasanthi,' W/o. Srinivasa Rao,
Venu Vihar Apartments, B.S. Layout, Visakhapatnam,

Visakhapatnam District.
2 Madireddy Srinivasa Rao, S/o. Narayana Rao,
Venu Vihar Apartments, B.S. Layout, Visakhapatnam,

Visakhapatnam District.

..... PETITIONERS

AND

1 The Superintendent of Police, Visakhapatnam, Visakhapatnam

District.
2 The Deputy Superintendent of Police, Visakhapatnam Rural,

Visakhapatnam District.
3 The Circle Inspector of Police, Bheemunipatnam Circle,

Visakhapatnam District.
4 The Sub Inspector of Police, Anandapuram, Anandapuram

Mandal, Visakhapatnam District.
5 Sri Malla Venkata Appala Kasi Naidu, S/o. Late Kasi Naidu,
R/o. D.No. 45-48-40/1, Abidnagar, Akkayyapalem,

Visakhapatnam District.

.....RESPONDENTS

Petition under Article 226 of the constitution of India praying that in the circumstances stated in the Affidavit filed herein the High Court will be pleased to issue a Writ of Mandamus or any other appropriate Writ, Order or Direction declaring

the action of the respondents 3 and 4 in interfering with the Civil disputes pertaining to the land measuring an extent of Ac.8-99 cents situate in Sy.No. 13/2 and 8 of Gudilova Village, Anandapuram Mandal, Visakhapatnam District at the instance of 5th respondent herein as arbitrary, illegal and unconstitutional, and consequently direct the respondents 3 and 4 not to call the petitioner to the police station without following due process of law.

Counsel for the Petitioners: MR.T.NIRANJAN REDDY

Counsel for Respondents 1 to 4.: GP FOR HOME

Counsel for Respondent No.5: --

The Court at the stage of admission made the following ORDER:

The petitioners claim to have purchased an extent of Ac.8.99 cents of land in survey Nos.13/2 and 8 of Gudilova village, Anandapuram Mandal, Visakhapatnam, through registered sale deeds. Their grievance is that at the instance of the fifth respondent, respondents 2 to 4 are interfering with their possession and attempting to settle civil disputes. They seek appropriate directions from this Court.

Heard learned counsel for the petitioners and learned Government Pleader for Home.

Police Department has hardly any role to play in civil disputes. Any person claiming right of civil nature in respect of any property or against any individual has to approach a civil Court and seek necessary relief. The occasion to interfere by the police arises if only any law and order problem arises or where specific complaints alleging offences under the relevant provisions are made. Even while taking steps in such cases, cases are required to be registered and further steps are required to be taken in accordance with the provisions of Cr.P.C. There does not exist any basis for the police to interfere in civil disputes.

Hence, the writ petition is disposed of directing that respondents 2 to 4 shall not interfere or involve in civil disputes between the petitioner and the fifth respondent in respect of the land referred to above. There shall be no order as to costs.

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01-02-2005

Note: Issue C.C. in three days

(B/)

kdl

To

1 The Superintendent of Police, Visakhapatnam, Visakhapatnam

District.
2 The Deputy Superintendent of Police, Visakhapatnam Rural,

Visakhapatnam District.
3 The Circle Inspector of Police, Bheemunipatnam Circle,

Visakhapatnam District.
4 The Sub Inspector of Police, Anandapuram, Anandapuram

Mandal, Visakhapatnam District.

5 Two C.Cs. to the Government Pleader for Home, High Court of

A.P., Hyderabad.(OUT)

6 Two C.D. Copies.